

EXHIBIT 1

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December 17, 2021

VIA E-MAIL

Adam M. Slater, Esquire
Mazie Slater Katz & Freeman, LLC
103 Eisenhower Parkway
Roseland, NJ 07068

Re: Valsartan MDL

Dear Adam:

We write in connection with SMO #56, under which the ZHP Parties are to provide additional information responsive to the specific matters set forth in 24 excerpts¹ of testimony from the depositions of Peng Dong, Min Li, Eric Gu, and Linda Lin. *See* Dkt. 1811 at 20.² This letter is to provide Plaintiffs with the framework the ZHP Parties propose for providing such additional information as to each of those 24 excerpts. As SMO #56 directs, the ZHP Parties are available to meet and confer about this framework at your convenience on Monday, December 20 before 4:00 pm.

¹ The page and line citations for the 24 excerpts of deposition testimony are set forth in Attachment “A” to this letter. They are each referred to by the numbering set forth in SMO #56, such as Peng Dong Excerpt 1, Peng Dong Excerpt 2, and so on.

² Specifically, under SMO #56 the ZHP Parties are to produce a “knowledgeable person . . . to provide a direct response to the matters covered in [these] excerpts” in response “to straightforward questions,” or “admit facts covered by” the excerpts, *see* Dkt. 1811 at 20, and SMO #56 further states that any additional testimony the ZHP Parties provide shall be limited to the “*specific matters*” set forth in the 24 excerpts. *Id.* at 27 at #2.

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Nothing set forth below is intended to be, nor should be construed as, an admission of fact or waiver of any right to appeal any aspect of SMO #56 if an amicable resolution of these issues cannot be reached, and the ZHP Parties explicitly reserve all rights in this regard.

First, the ZHP Parties will provide up to one hour total of additional 30(b)(6) deposition testimony (plus 75% for translation, if necessary) on the five “Specific Matters” presented in the questions in the 24 excerpts, as follows:

- Specific Matter #1: ZHP’s evaluation and knowledge of the health risks of NDMA or NDEA. *See* Min Li Excerpts 2-11, 15-16.
- Specific Matter #2: ZHP’s risk assessment regarding the zinc chloride process change and the solvent DMF, if any, in connection with the change to the zinc chloride process in 2011. *See* Peng Dong Excerpts 4 and Eric Gu Excerpts 2-7.
- Specific Matter #3: The “Explanation Section” and “Section 3” of ZHP 195 at the pages bates labeled ZHP01843067-70. *See* Peng Dong Excerpts 1-3.
- Specific Matter #4: Whether ZHP knew on July 27, 2017, that when valsartan was quenched with sodium nitrite NDMA could be formed. *See* Min Li Excerpt 12.
- Specific Matter #5: ZHP’s understanding of the meaning of the term “adulterated.” *See* Linda Lin Excerpt 9.

The duration of the testimony set forth in the 24 excerpts for which the ZHP parties will provide additional testimony totaled only approximately 40 minutes.³ However, to allow for reasonable follow-up questions on the Specific Matters above, the ZHP Parties will provide Plaintiffs with a total of one hour of 30(b)(6) testimony by one or more appropriate witnesses.

Second, the potential one hour of additional 30(b)(6) testimony the ZHP Parties will provide would be allocated in proportion to the number of excerpts at issue for each of the five Specific Matters, as follows, and allocated time not used would be forfeited:

- Specific Matter #1: 40%
- Specific Matter #2: 25%
- Specific Matter #3: 15%

³ Due to repetitive questioning, the Linda Lin Excerpt 9 was approximately 15 minutes long, while the other 23 excerpts totaled approximately 25 minutes. Thus, the up to one hour of additional testimony the ZHP Parties are offering is effectively double the length of the 24 excerpts.

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- Specific Matter #4: 10%
- Specific Matter #5: 10%

Third, during the potential one hour of additional 30(b)(6) testimony, Plaintiffs would be limited to utilizing only those exhibits on which Plaintiffs directly questioned the witness during the excerpts at issue, so as to allow Plaintiffs the opportunity to obtain testimony about those exhibits that Plaintiffs claim they were not able to obtain in the original depositions. The exhibits and the excerpts in which Plaintiffs directly questioned the witness about those exhibits are as follows:

- ZHP 195: Peng Dong Excerpts 1-4
- ZHP 206: Min Li Excerpts 7-9
- ZHP 42: Min Li Excerpts 10-11, 15
- ZHP 321: Min Li Excerpt 16
- ZHP 296: Min Li Excerpt 12
- ZHP 311: Min Li Excerpt 2
- ZHP 213: Linda Lin Excerpt 9

We trust the above framework is acceptable to Plaintiffs so that the parties and the Court can put this issue to rest without further briefing. We look forward to discussing the foregoing proposal with you. Please let us know a few times on Monday that would work for you for a call.

Very truly yours,

/s/ Seth A. Goldberg
Seth A. Goldberg

SAG

ATTACHMENT A

**24 DEPOSITION EXCERPTS FOR WHICH THE
ZHP PARTIES WILL PROVIDE ADDITIONAL INFORMATION**

1. Peng Dong Excerpt 1 - March 29, 2021 72:14-74:9
2. Peng Dong Excerpt 2 - March 29, 2021 77:7-78:9
3. Peng Dong Excerpt 3 - March 29, 2021 79:20-80:4
4. Peng Dong Excerpt 4 - March 29, 2021 86:17-24
5. Min Li Excerpt 2 - April 21, 2021 394:4-395:1
6. Min Li Excerpt 3 - April 21, 2021 300:8-22
7. Min Li Excerpt 4 - April 21, 2021 301:8-17
8. Min Li Excerpt 5 - April 21, 2021 302:16-305:11
9. Min Li Excerpt 6 - April 21, 2021 320:17-321:20
10. Min Li Excerpt 7 - April 21, 2021 341:10-19
11. Min Li Excerpt 8 - April 21, 2021 341:21-342:13
12. Min Li Excerpt 9 - April 21, 2021 344:2-12
13. Min Li Excerpt 10 - April 21, 2021 476:24-477:8
14. Min Li Excerpt 11 - April 21, 2021 478:11-479:7
15. Min Li Excerpt 12 - April 20, 2021 90:7-19
16. Min Li Excerpt 15 - April 21, 2021 481:5-16
17. Min Li Excerpt 16 - April 22, 2021 693:7-22
18. Eric Gu Excerpt 2 - April 5, 2021 81:16-82:10
19. Eric Gu Excerpt 3 - April 5, 2021 162:23-163:23
20. Eric Gu Excerpt 4 - April 5, 2021 185:17-186:12
21. Eric Gu Excerpt 5 - April 5, 2021 188:17-190:12
22. Eric Gu Excerpt 6 - April 6, 2021 316:2-21
23. Eric Gu Excerpt 7 - April 6, 2021 353:24-354:16
24. Lihong (Linda) Lin Excerpt 9 - May 5, 2021 200:24-205:24